

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:07-CV-372-F

GARY MARTIN,)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
CITY OF RALEIGH,)	
Defendant.)	

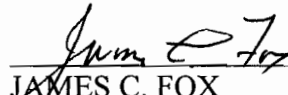
This matter is before the court on the Memorandum and Recommendation (M & R) of United States Magistrate Judge William A. Webb filed on October 2, 2007. The plaintiff did not file any objections to the Magistrate Judge's M & R.

After an independent and thorough review of the Magistrate Judge's M & R and a *de novo* review of the record, the court concludes that the M & R is correct and in accordance with the law. Accordingly, the court hereby ADOPTS the Magistrate Judge's M & R.

The plaintiff's Motion to Proceed *In Forma Pauperis* is ALLOWED, but plaintiff's complaint is DISMISSED for failure to state a claim.

SO ORDERED.

This 26th day of February, 2008.



JAMES C. FOX
Senior United States District Judge